

**Racial and Ethnic Demographics of the
New York State Level 3 Sex Offender Population**
(as of April 2006)

An Analysis by the New York Civil Liberties Union

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SUMMARY OF FINDINGS

There are significant racial disparities between the 5,329 persons designated Level 3 offenders in New York State and their representation in the general population

- Relative to their numbers in the general population, Whites and Asians are underrepresented among Level 3 offenders whereas blacks are overrepresented in the Level 3 offender population.
- Whites make up 62 percent of the New York State population but represent 48.8 percent of Level 3 offenders. Relative to their numbers in the general population, whites are underrepresented by 21 percent among Level 3 offenders.
- Blacks make up 15.9 percent of the New York State population but represent 37.2 percent of Level 3 offenders. Relative to their numbers in the general population blacks are overrepresented by 134 percent among Level 3 offenders.

The racial disparity found statewide among Level 3 offenders is greater in Albany, Onondaga and Monroe counties, and in Nassau and Suffolk counties

- In the three upstate counties of Albany, Onondaga and Monroe blacks are nearly three times more prevalent in the Level 3 population than in the general population.
- On Long Island blacks are overrepresented among Level 3 offenders by 485 percent relative to their numbers in the general population.
- In Suffolk county blacks represent just under 7 percent of the general population but 42 percent of persons designated Level 3 offenders. Among Suffolk County residents a black person is nearly seven times more likely than a white person to be registered as a Level 3 offender.
- In Nassau County blacks represent approximately 10 percent of the general population but nearly 56 percent of those designated as Level 3 offenders. A black person living in Nassau County is six times more likely than a white person to be registered as a Level 3 offender.

RESEARCH FINDINGS – STATEWIDE

Racial and ethnic disparities in the population of NYS Level 3 offenders relative to the general population

Non-Hispanic blacks represent 14.8 percent of the general population in New York State, but 35.3 percent of Level 3 sex offenders. In contrast, non-Hispanic whites represent 62 percent of the state’s population, but they represent 48.8 percent of Level 3 offenders.

There are also significant disparities in the population of Hispanic Level 3 offenders as compared with Hispanics’ representation in the general population. White-Hispanics represent 6.0 percent of the general population, but 8.2 percent of the Level 3 offender population. Black-Hispanics represent 1.1 percent of the general population, but 1.9 percent of Level 3 offenders.

Asians are nearly absent among designated Level 3 offenders. Asians represent 5.5 percent of the general population, but only thirteen Asians (0.2 percent of the total Asian population) are designated Level 3 offenders. Native Americans are the smallest racial group in the state, representing 0.4 percent of the general population; however, though small in number, Native Americans are overrepresented by 50 percent among Level 3 offenders relative to their numbers in the general population.

For Hispanics overall only a slight difference was found between the Level 3 and general populations. The apparent contradiction between the findings for racial subgroups of Hispanics and Hispanics as a whole is due to the fact that 30 percent of Hispanics were listed by race as “other” or “unknown.”

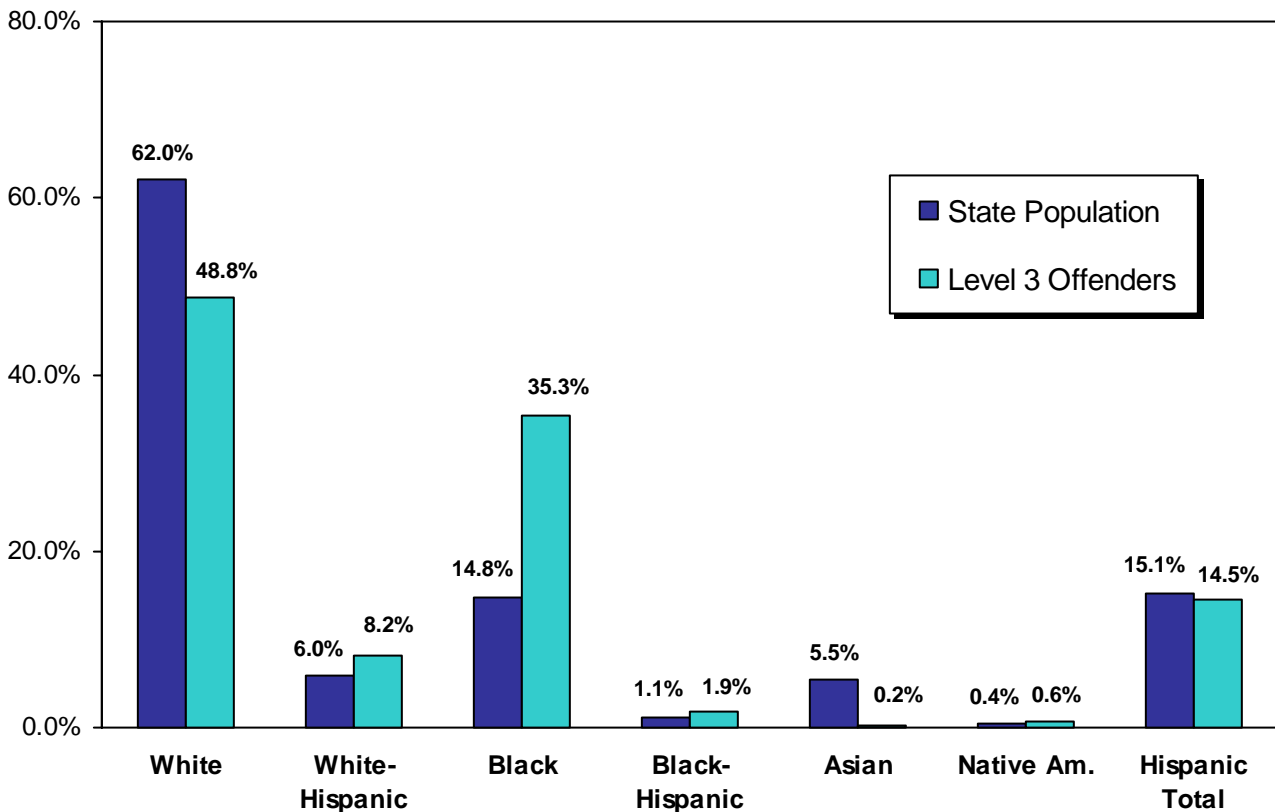


Figure 1: Race and ethnicity of Level 3 offenders in New York State as compared with the race and ethnicity of the general population.

Blacks are significantly overrepresented among designated Level 3 offenders

As of April 2006 New York has designated 1,980 Black or Hispanic-Black individuals as Level 3 sex offenders. These individuals represent 37.2 percent of the total Level 3 offender population (5,329). Relative to their numbers in the general population, non-Hispanic blacks are overrepresented in the Level 3 population by 138.5 percent.

Black-Hispanics represent a relatively small number of Level 3 offenders (1.9 percent); but relative to their numbers in the general population black-Hispanics are overrepresented by 72.7 percent among designated Level 3 offenders.

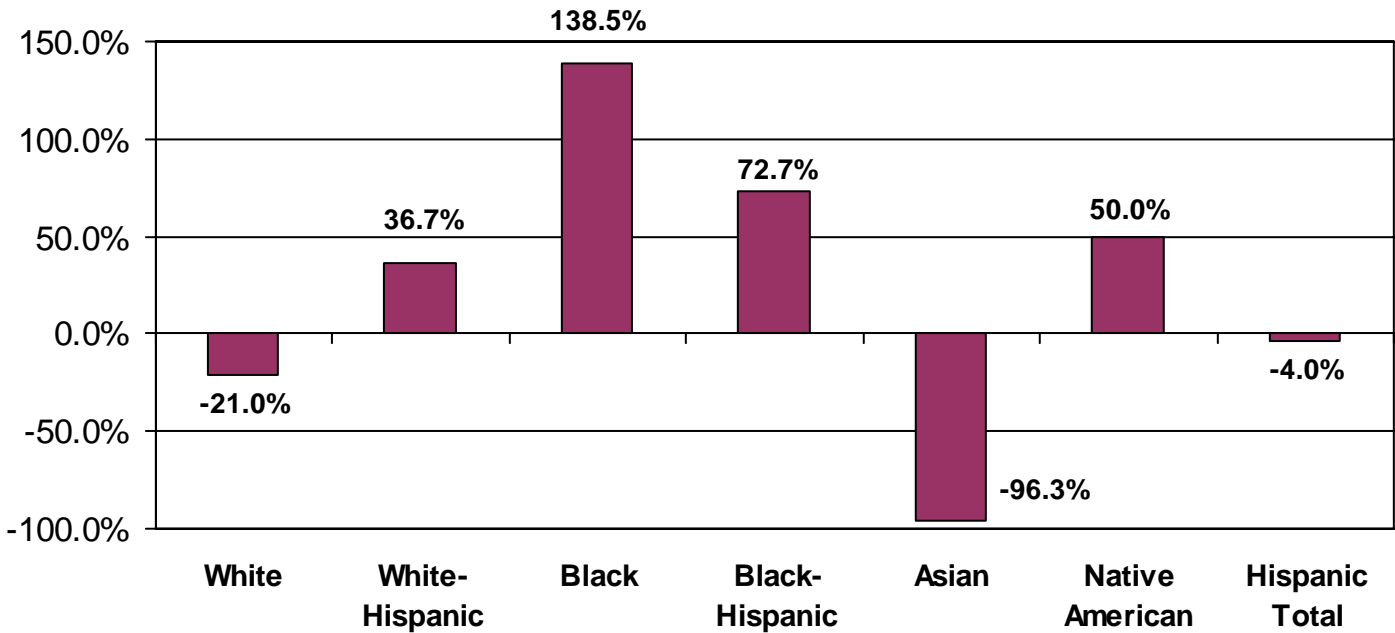


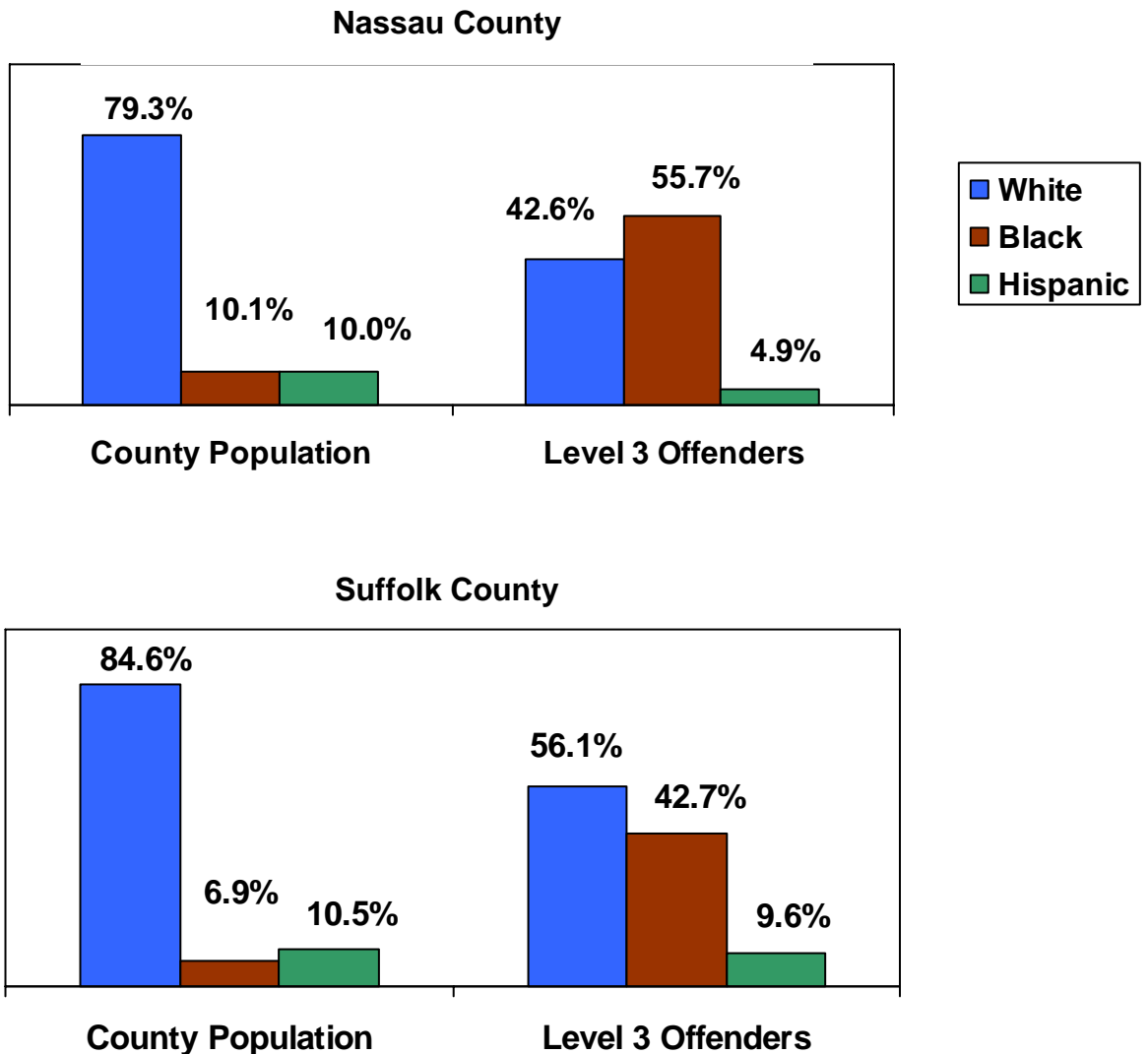
Figure 2: Differences between a racial or ethnic group’s representation among Level 3 offenders and the group’s representation in the general population.

Note: 0.0% indicates that a group’s representation in the sex offender population would be identical to its representation in the general population. 100% disparity indicates that individuals in a particular group are twice as prevalent in the offender population as in the general population.

RESEARCH FINDINGS – REGIONAL

Overrepresentation of blacks among Level 3 offenders is greatest on Long Island

Fewer than one in ten residents of Long Island are black; but approximately five of every ten Level 3 offenders are black. In Nassau County blacks represent 10.1 percent of the general population and 55.7 percent of Level 3 offenders. (The corresponding numbers for whites are 79.3% and 42.6 percent, respectively.) In Suffolk County blacks represent 6.9 percent of the general population and 42.7 percent of Level 3 offenders. (The corresponding numbers for whites are 84.6 percent and 56.1 percent, respectively.)



Figures 3 & 4: Racial and ethnic composition of the general population and the Level 3 offender population in Nassau and Suffolk counties.

Blacks are overrepresented by 485 percent among Level 3 offenders on Long Island – three times greater than the racial disparity statewide

Relative to their numbers in the general population of Suffolk County, blacks are overrepresented by 519 percent among the county’s designated Level 3 offenders. In Nassau County the number of black Level 3 offenders exceeds by 451 percent the number of blacks in the county’s general population. Statewide blacks are overrepresented by 134 percent relative to their representation in the general population.

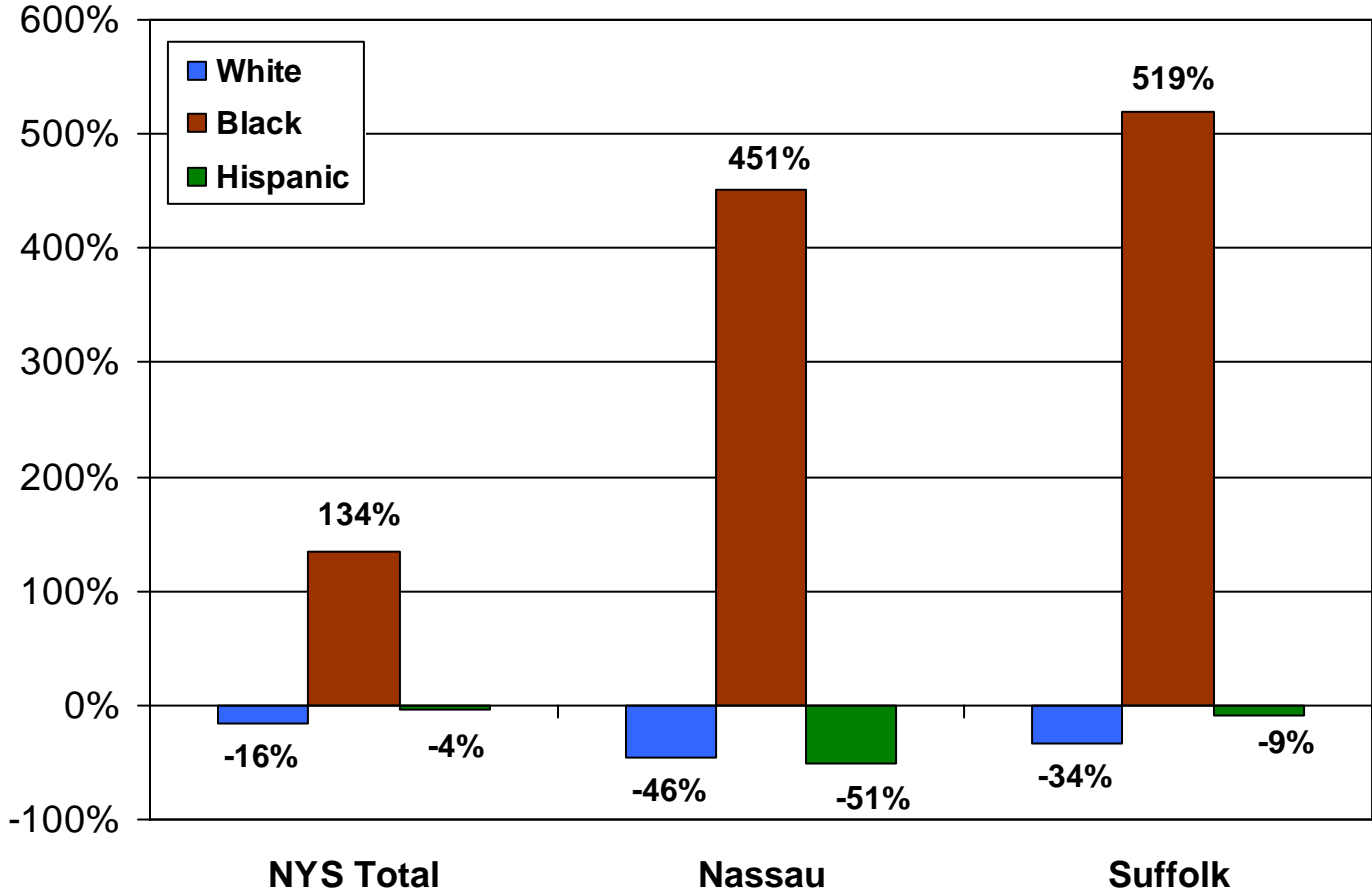


Figure 5: Disparities in the race and ethnicity of Level 3 offenders when compared with the race and ethnicity of the general population: New York State, Nassau and Suffolk counties.

Blacks are three times more prevalent among Level 3 offenders than among the general population in Albany, Onondaga and Monroe counties

Each of the upstate counties analyzed includes a relatively large urban population,¹ concentrated in the cities of Albany (Albany County), Syracuse (Onondaga County) and Rochester (Monroe County). In all three counties the number of blacks who are Level 3 offenders is three times greater than the number of blacks in the general population. Blacks represent 11.1 percent of the Albany County population, but 33.3 percent of the county's Level 3 offenders. In Onondaga County, blacks represent 9.4 percent of the population, but 28 percent of Level 3 offenders. Monroe County's black population is 13.7, but 39.1 percent of the county's Level 3 offenders are black.

Fig. 7

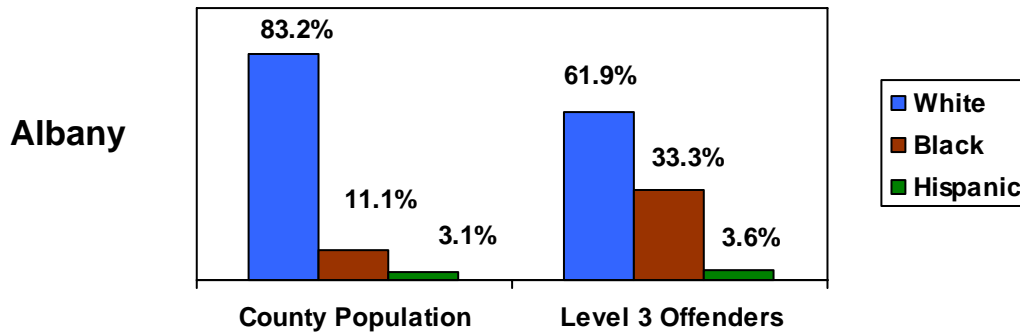


Fig. 8

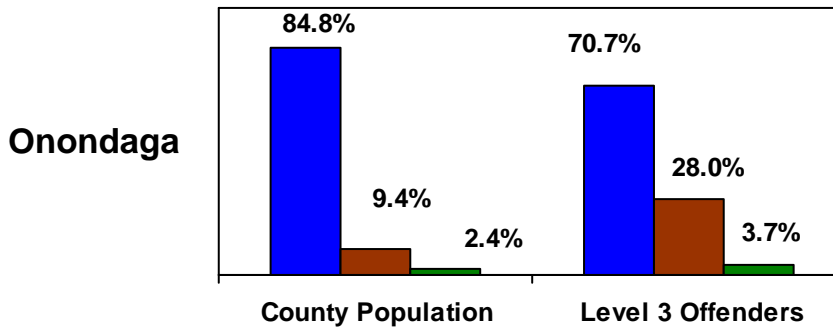
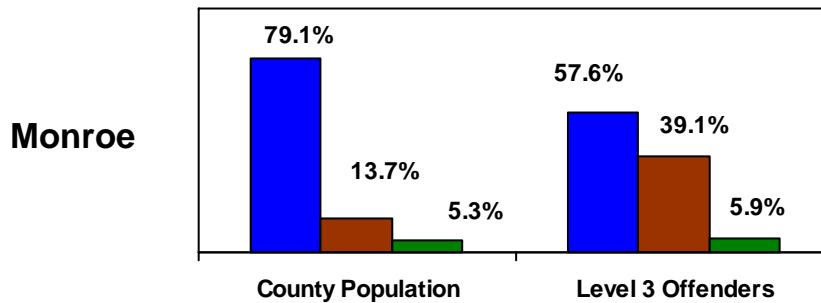


Fig. 9



Figures 6, 7, & 8: **Racial and ethnic composition of the general population and Level 3 offender population in Albany, Onondaga, and Monroe counties.**

¹ Erie County also includes a major upstate city, but was not included in this analysis because there are a large number of state correctional facilities in the county. Many Level 3 offenders are currently incarcerated, and most inmates are persons of color. These factors make it difficult to gauge the reliability of data from Erie County. The other counties do not have large state inmate populations; therefore most or all Level 3 offenders in these counties would be actual residents of the counties.

Blacks are overrepresented among Level 3 offenders in Albany, Onondaga, and Monroe counties by nearly 200 percent – exceeding by 46 percent the racial disparity statewide

In Albany, Onondaga and Monroe counties blacks are overrepresented among Level 3 offenders by an average of approximately 195 percent. Statewide blacks are overrepresented among Level 3 offenders by 134 percent. Therefore the overrepresentation of blacks among Level 3 offenders in these three upstate counties exceeds by 46 percent the racial disparity among Level 3 offenders statewide.

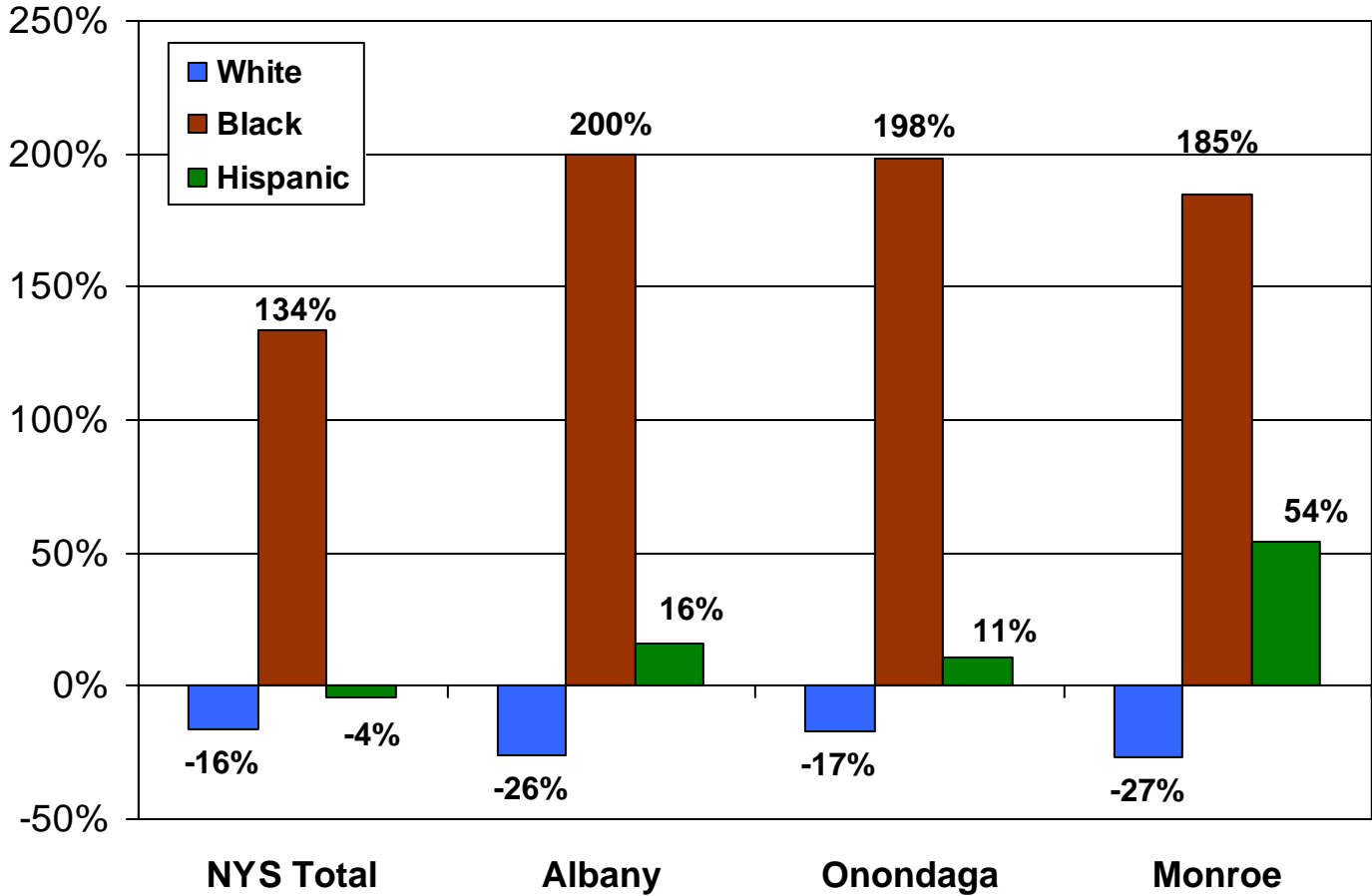


Figure 9: Disparities in the race and ethnicity of Level offenders when compared with the race and ethnicity of the general population: New York State; Albany, Onondaga and Monroe counties.

There are significant regional differences in the racial disparities among Level 3 offenders

In the upstate counties of Albany, Onondaga and Monroe there is little variation in the racial disparities between Level 3 offenders relative to their representation in the general population. In these counties blacks are overrepresented by between 185 percent and 200 percent relative to the general population. The racial disparity among Level 3 offenders on Long Island is also relatively constant, ranging between 451 percent and 519 percent in Nassau and Suffolk counties.

There is, however, a significant regional difference in the racial disparity among level 3 offenders in these upstate counties as compared with the racial disparity among Level 3 offenders in Nassau and Suffolk counties. In the upstate counties blacks are overrepresented among Level 3 offender by an average of 195 percent relative to blacks' representation in the general population; whereas on Long Island blacks are overrepresented among Level 3 offenders by an average of 485 percent. What's more, the overrepresentation of blacks in the Level 3 population statewide – 134 percent – varies significantly from the racial disparity observed in the upstate counties and on Long Island.

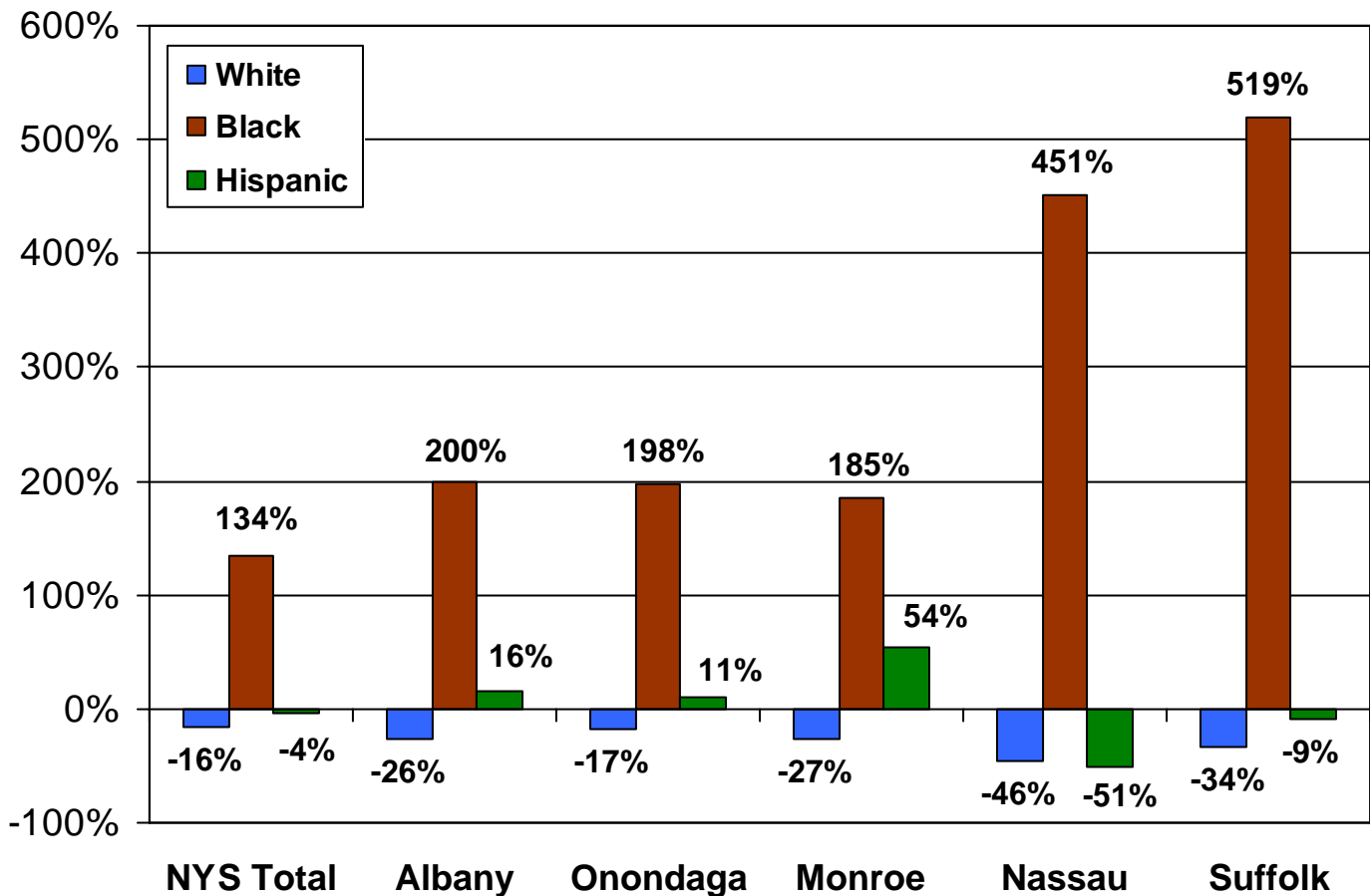


Fig. 10: Disparities between the representation of racial and ethnic groups in the general and the Level 3 offender populations of NYS and five counties.

RESEARCH METHODS

The race and ethnicity of level 3 offenders was ascertained by examining the New York State Registry of Level 3 Sex Offenders (Registry) through a state operated website.² Level 3 offenders are those who have been deemed by the State to pose the highest risk of re-offense and significant information is available on these offenders via the state website including racial and ethnic categorization as well as offender photographs. The racial categories used on the Registry are Asian, Black, White, Indian, Other and Unknown. The only ethnic category used was Hispanic. The study used the same categories as those included in the registry. The presence of photographs allowed the verification of racial designations through a visual assessment by the researchers. A small percentage of the indicated racial or ethnic categorizations were in obvious error and these were corrected in the tally used for demographic analysis.³

To conduct the study researchers viewed every listing in the Registry beginning February 27, 2006 and continuing through April 8, 2006.⁴ Each offender was added to a database with an indication of their race and if they are Hispanic. In all instances where the researchers changed a racial or ethnic designation from the one included in the Registry the original designation was noted.

The number of offenders designated as belonging to each demographic were then tallied and used to determine the percentages that each demographic group represented in the total level 3 offender population. The demographic comparisons to the total New York State and county populations were based on data from the United States Census of 2000.⁵

To determine if any racial bias statewide was consistent across different areas of the state, demographic analyses were conducted on five separate counties representing over 80% of the state population outside of New York City. Three of the counties, Albany, Onondaga, and Monroe contain three of the four major Upstate cities; the other two, Suffolk and Nassau, comprise Long Island.⁶ Demographics were analyzed based upon the races White and Black and the ethnicity Hispanic; multivariate analyses were not conducted as was done with the statewide totals due to a low number of individuals listed as either White-Hispanic or Black-Hispanic in these areas. Asians and Native Americans were excluded for the same reason.

² <http://www.criminaljustice.state.ny.us/nsor/index.htm>

³ The vast majority of those designated "Indian" on the registry were Native Americans and almost all individuals with names and features suggesting they were ethnically Indian had been designated Other, though a few had been designated Asian. The researchers generalized this scheme and re-designated any clearly Non-Native Americans labeled as Indian in the Registry as Other for the purposes of the study.

⁴ According to the tallies of offenders listed on the website approximately 50 individuals were added to the list during the course of the study. However, the final total the researchers arrived at of 5,329 was 280 fewer than the State's total for level 3 offenders as of April 8 (5,609), indicating an error in the totals furnished by the state.

⁵ Census numbers were obtained from the website <http://www.epodunk.com>, and from the US Census Bureau website <http://www.census.com>.

⁶ The fourth county that contains a major Upstate city, Erie County, was not included because the high number of prisons in the county skews racial demographics and research is further complicated when analyzing a population some significant percentage of which is incarcerated.